



**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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IN RE PAYMENT CARD INTERCHANGE	MASTER FILE NO. 1:05-md-1720-JG-JO
FEE and MERCHANT-DISCOUNT	:
ANTITRUST LITIGATION	ORAL ARGUMENT REQUESTED
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This Document Relates to All Actions	:
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**DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, upon the accompanying Declaration of Peter E. Greene, and exhibits attached thereto; Defendants' Local Rule 56.1 Statement Of Material Facts As To Which There Is No Genuine Issue To Be Tried; Defendants' Memorandum of Law in Support of The Motion For Summary Judgment As To The Claims in The Second Consolidated Amended Class Action Complaint; Network Defendants' Memorandum in Support of The Motion For Summary Judgment Against The Claims In The Individual Plaintiffs' Complaints; and Defendants' Memorandum in Support of The Motion for Summary Judgment on Class Plaintiffs' IPO, Post-IPO Conspiracy, and Fraudulent Conveyance Claims, and Individual Plaintiffs' Post-IPO Conspiracy Claim, the undersigned defendants will move this Court on a date and time to be designated by the Court, in the United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201-1818 for an Order pursuant to Fed. R. Civ. P. 56 for summary judgment in their favor on all claims, dismissing all plaintiffs' complaints in their entirety, and for such other further relief as the court deems just and proper.

PLEASE TAKE FURTHER NOTICE that defendants request oral argument of  
this motion.

Dated: New York, New York  
February 11, 2011

Respectfully submitted,

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Feb 11 2011  
1:25PM

CERTIFICATE OF SERVICE

The undersigned, an attorney duly admitted to practice law before this Court, hereby certifies under penalty of perjury, that on February 11, 2011, I caused a true copy of the foregoing:

- Defendants' Notice of Motion For Summary Judgment;
- Defendants' Memorandum of Law in Support of The Motion for Summary Judgment as to the Claims in the Second Consolidated Amended Class Action Complaint;
- Defendants' Statement of Material Facts as to Which There Is No Genuine Issue To Be Tried;
- Transmittal Declaration In Connection With Defendants' Motion For Summary Judgment And Statement Of Material Facts As To Which There Is No Genuine Issue To Be Tried (without exhibits);
- Defendants' Notice of Motion to Exclude Certain Opinions of Class Plaintiffs' Economic Expert Dr. Alan S. Frankel; and
- Defendants' Memorandum of Law in Support of The Motion to Exclude Certain Opinions of Class Plaintiffs' Economic Expert Dr. Alan S. Frankel

to be served electronically through LexisNexis File & Serve upon counsel of record for the parties. I further certify that I caused *Transmittal Declaration In Connection With Defendants' Motion for Summary Judgment And Statement of Material Facts As To Which There Is No Genuine Issue To Be Tried with attached Exhibits 1-250* to be served by Federal Express on the following:

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Dated: New York, New York  
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